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| APPLICATION NO.                               | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/702,274                                    | 10/30/2000  | Paul Gallagher       | 12729-101           | 1442             |
| 56020   | 7590        | 12/21/2005           |                     |                  |
| BRINKS HOFER GIBSON & LIONE / YAHOO! OVERTURE |             |                      | EXAMINER            |                  |
| P.O. BOX 10395                                |             |                      | BACKER, FIRMIN      |                  |
| CHICAGO, IL 60610                             |             |                      | ART UNIT            | PAPER NUMBER     |

3621

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                                  |  |
|------------------------------|-------------------------------|----------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/702,274 | Applicant(s)<br>GALLAGHER ET AL. |  |
|                              | Examiner<br>FIRMN BACKER      | Art Unit<br>3621                 |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-9 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasic (U.S. PG Pub No. 2001/00034676) in view of Johnson (U.S. PG Pub NO. 2003/0004879).

4. As per claims 1 and 16, Vasic teaches a computer implemented method of initiating a transfer of funds from online account to another in a computer network, comprising receiving account access information for a bank account from the first user, wherein once the bank account is verified the first user is able to transfer funds between accounts, verifying, using the account information, whether the first user has access to the bank account; and if verified; receiving a transfer request from a second user, the transfer request including an amount of funds for transfer one of the sub-accounts to the first account and identification information for a recipient of the

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funds, the identification information including an electronic message address for the recipient; and automatically sending an electronic message to the recipient using the electronic message address, the electronic message indicating that funds are ready for transfer to the recipient transferring the amount of the funds from the bank account associated with the master account to the bank account associated with the recipient's account (see abstract paragraphs 0039, 0040, 0041, 0042, 0056, 0057). Vasic et al fail to teach receiving a response included a request for establish a first online account for the recipient and establishing a first online account for the recipient, establishing on or more sub accounts link to the online account wherein the transaction involving each sub accounts, actual fund are transferred between the bank account and the online account. However, Johnson teaches receiving a response included a request for establish an first online account for the recipient and establishing a second online account for the recipient (see abstract, paragraph 0047.). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the inventive concept of Vasic et al's to include Johnson 's concept of receiving a response included a request for establish an first online account for the recipient and establishing a second online account for the recipient because this would have ensure a network transaction system which will allow a user to be authenticated without using certifying authorities and to receive various cyberspace banking services from any banks as they are linked via an inter-bank network.

5. As per claim 2, Vasic teaches a computer implemented method further comprising receiving a response from the recipient accepting or rejecting the transfer of funds; and transferring said amount of funds from the online account associated with the first user to a

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second online account associated with the recipient if the response indicates acceptance (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057.).

6. As per claim 3, Vasic teaches a computer implemented method wherein the bank account is one of a checking account and a savings account (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057.).

7. As per claim 4, 13, Vasic teaches a computer implemented method causing a small deposit to be made to the bank account using the account access information, notifying the first user that a deposit has been made to the bank account; requesting from the first user identification of the amount of the deposit', receiving a response from the first user identifying the amount of the deposit; and verifying whether the amount identified in the response matches the amount deposited in the bank account, whereby the bank account is verified if a match occurs (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057.).

8. As per claim 6, Vasic teaches a computer implemented method wherein the account access information and the response are received from the user over the Internet (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057.).

9. As per claim 7, Vasic teaches a computer implemented method of transferring funds from the banking account to the online account associated with the first user in response to a

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request to transfer funds if the bank account is verified (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057).

10. As per claim 8, Vasic teaches a computer implemented method of transferring funds from the online account associated with the first user to the bank account in response to a request to transfer funds if the banking account is verified (see abstract, paragraphs 0039, 0040, 0041, 0056, 0057).

11. As per claim 9, 14, Vasic teaches a computer implemented method causing two or more small deposits to the banking account using the account access information, notifying the user that the two or more deposits have been made to the banking account, requesting from the user identification of the amounts of each of the two or more deposits, receiving a response from the user identifying the amounts of each of the two or more deposits, verifying whether the amounts identified in the response match the amounts deposited in the banking account, whereby the account is verified if a match accounts (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057).

12. As per claim 11, Vasic teaches a computer implemented method wherein the account access information is received from the first user over the internet (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057).

13. As per claim 12, Vasic teaches a computer implemented method wherein the account access information includes an account number (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057).

14. As per claim 15, Vasic teaches a computer implemented method wherein the first user determines an amount of funds available in for each sub account (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057).

15. As per claim 17, Vasic teaches a computer implemented method wherein the response from the recipient includes a request to establish an online account for the recipient and wherein the method further includes a second online account associated with the recipient (see abstract, paragraphs 0039, 0040, 0041, 0042, 0056, 0057.).

16. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasic (U.S. PG Pub No. 2001/00034676) in view of Johnson (U.S. PG Pub NO. 2004/0039649) and in further view of Templeton et al (U.S. PG Pub No. 2002/0004772).

17. As per claims 5 and 10, the combination of Vasic and Johnson fails to teach an inventive concept wherein the small deposit has a value of between 0.01 to 1.00 dollar, inclusively. However Templeton teach a small deposit has a value of between 0.01 to 1.00 dollar, inclusively (see paragraph 0034). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Vasic and Johnson's invention to

include Templeton et al small deposit has a value of between 0.01 to 1.00 dollar, inclusively because this would have ensured that proper verification of the account is done before continuation of large fund transfer transactions.

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form 892*)..

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

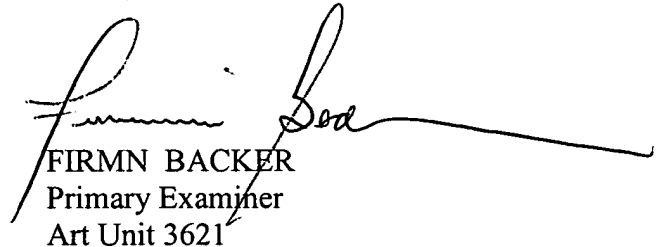
Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMIN BACKER whose telephone number is 571-272-6703. The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FIRMIN BACKER  
Primary Examiner  
Art Unit 3621

December 18, 2005